

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7006

BILL NUMBER: HB 1146

NOTE PREPARED: Jan 3, 2012

BILL AMENDED:

SUBJECT: Abortion-Inducing Drugs.

FIRST AUTHOR: Rep. Morris

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & local

Summary of Legislation: This bill defines an abortion-inducing drug, specifies that only a physician who meets certain conditions may administer to a pregnant woman an abortion-inducing drug, and sets forth the procedure the physician must follow.

The bill requires a physician who learns of an adverse event following the use of an abortion-inducing drug to report the adverse event to the Food and Drug Administration and the Medical Licensing Board. It specifies that the reports of adverse events maintained by the Medical Licensing Board are public records.

The bill establishes a Class A misdemeanor for a violation concerning distribution of an abortion-inducing drug and for failure to report an adverse event.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Adverse Event Reporting:* The bill would require physicians to report specified adverse events to the federal Food and Drug Administration and to the Medical Licensing Board. The bill further requires the Medical Licensing Board to compile the reports after redacting identifying information and to retain the reports as public records. The cost of collecting and compiling the reports would depend on the number of reports that might be received. The bill does not specify a reporting requirement for the Medical Licensing Board.

The bill establishes the Class A misdemeanor for a violation concerning distribution of an abortion-inducing drug and for failure to report an adverse event. In addition to criminal penalties, a person who violates the provisions of the bill may also be subject to disciplinary sanctions and civil liability.

Explanation of State Revenues: *Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class A misdemeanor is \$5,000. However, any additional revenue would likely be small.

Explanation of Local Expenditures: *Penalty Provision:* A Class A misdemeanor is punishable by up to one year in jail.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: Indiana Professional Licensing Agency (IPLA), Medical Licensing Board.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: http://www.accessdata.fda.gov/drugsatfda_docs/label/2005/020687s013lbl.pdf

Fiscal Analyst: Kathy Norris, 317-234-1360.